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April 29, 2004

To: U.S. Patent and Trademark Office

Attn: Examiner Jane RHEE

Fax No. 571-273-1499

From: Matthew Stavish

Number of Pages Sent (Including cover sheet): 2

Comments:

Re: U.S. Patent Application No. 09/698,265
Filing Date: 10/30/2000
Inventor(s): IACOVELLI, et al.

Dear Examiner Rhee,

Further to our telephone conversation of today, I am enclosing a Terminal Disclaimer to resolve all outstanding issues in this application. According to our conversation, all outstanding rejections will be withdrawn in view of the attached Terminal Disclaimer.

If you have any questions, please feel free to give us a call.

Thank you,


Matthew Stavish

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number: 08209.506

In re Application of: IACOVELLI, et al.

Application No. 09/698,265

Filed: October 30, 2000

For: HEAVY DUTY VEHICLE FLOOR MAT

The owner, Rally Manufacturing, Inc., of, 100 percent interest in the instant application hereby disclaims, except as

provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer of prior Patent Numbers 487042; 486436; 486107; 482645; 482306; 481981; 481340; 445748; 444115; 442902; 441336; 439874; 438152; 436784; 436566; 433982; 433366; 432966; 432965; 429679; 425468; 433367; 424498. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record


Signature Date

Matthew Stavish
Typed or printed name

301-896-0600
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is to be taken from applicant deposit account no. 50-0548.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).